

REMARKS

I. Introduction

Claims 1, 3 to 6, 8 and 9 are pending in the present application. In view of following remarks, Applicants respectfully request reconsideration of the application.

II. Rejection of Claims 1 and 3 to 6 Under 35 U.S.C. §103(a)

Claims 1 and 3 to 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 1,059,747 ("Montross") in view of U.S. Patent No. 5,301,913 ("Wheatley") and in view of U.S. Patent No. 4,411,372 ("Basterfield et al."). Applicants respectfully submit that the combination of references does not render obvious claims 1 and 3 to 6 for the following reasons.

Claim 1 relates to a drum closure, comprising a top clamp configured with a top surface and a bottom surface and at least one threaded top clamp bolt hole extending through a body of the top clamp, a base clamp configured with a bottom surface and at least one threaded base clamp bolt hole extending through a body of the bottom surface; and a bolt inserted through the top clamp bolt hole and the base clamp bolt hole and configured to extend from a secured position to an unsecured position, wherein the bottom surface of the top clamp and the top surface of the base clamp are configured to form in unison a lip holding area for a drum and the top clamp and base clamp are configured to be inserted around a portion of a drum lid and drum body interface to secure the drum lid to the drum body, the base clamp configured to rotate from the top clamp in the unsecured position. Claim 1 also recites that the base clamp has a fitting inserted into the base clamp to accept and secure the bolt. Claim 1 further recites that the base clamp has a separate penetration from the base clamp hole, the separate penetration housing the fitting. Claim 1 also recited that the lip holding area is configured in an approximately circular geometry, wherein the top clamp has a rounded knuckle on the bottom surface, the rounded knuckle configured to abut a drum lid body interface. Montross relates to a burial casket. The burial casket is provided with a closing device which seals the exterior lip of the casket.

The Office Action states that Montross provides a top clamp (7), a bolt (15) and a lip holding area (9) and (10). The Office Action further alleges that the bottom clamp (17) can rotate from the top clamp (7).

Applicants claim 1 recites the feature of a base clamp that has a separate penetration from the base clamp hole

Montross relates to a burial casket. Title. Montross merely provides a screwed connection which joins the two sections of the clamp together. Montross does not provide a base clamp that has a separate penetration from the base clamp hole as required in unamended claim 1.

The Office Action admits that Montross does not provide a top clamp hole that is internally threaded.

The addition of the Wheatley reference does not cure the critical defects of the Montross reference. Wheatley allegedly relates to mounting clamps for pick-up truck beds. Applicants submit that the attempted combination of the Montross and Wheatley references does not disclose or suggest the feature of unamended claim 1 wherein the base clamp has a separate penetration from the base clamp hole, the separate penetration housing the fitting. Wheatley provides a single hole for installation of the bolt and does not provide the structure recited in claim 1.

Applicants furthermore respectfully submit that a person of ordinary skill in the art would not combine the teachings of a burial casket with that of a pick-up truck bed mounting device to teach the structural features of a drum closure dedicated to nuclear waste storage (line 8, page 1).

Additionally, the attempted above combination of Wheatley and Montross does not disclose or suggest any configuration of a rounded knuckle for the top clamp. Wheatley, instead, uses a connection that connects a spoiler and/or rear wing to the bed of a truck. Individual clamping pads 31 and 56 are provided. The intersecting teeth of Wheatley would not be capable of securing a lid on a drum and the configuration, with the sharp edge design, would in fact be detrimental to a drum top which has to withstand both puncture type and high elevation drop accidents. The attempted combination of references, therefore, does not disclose the feature of a rounded knuckle.

The attempted addition of the Basterfield et al. reference does not cure the critical defects of the Montross and Wheatley references. Basterfield et al. relate

to a pressure vessel. Title. The Office Action is limited to using the Basterfield et al. reference to provide a hook formation 40. Basterfield et al. do not disclose or suggest the feature of unamended claim 1 wherein the base clamp has a separate penetration from the base clamp hole, the separate penetration housing the fitting.

Claims 3 to 6 depend from claim 1 and therefore include all of the features of claim 1. Applicants respectfully submit that claims 3 to 6 are patentable for at least the reasons provided above in relation to claim 1.

III. Rejection of Claims 8 and 9 Under 35 U.S.C. § 103(a)

Claims 8 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Montross in view of Wheatley and further in view of United States Patent 1,450,687 ("Kunin"). Applicants respectfully submit that the attempted combination of Montross, Wheatley and Kunin does not render obvious claims 8 and 9 for the following reasons.

Claim 8 relates to a method of closing a drum, comprising: providing three drum closure arrangements; positioning a top clamp with a rounded knuckle on a bottom surface of each of the three drum closure arrangements on a drum lid interface; positioning a base clamp of each of the three drum closure arrangements on the drum lid interface; inserting a bolt through the top clamp into the base clamp; and tightening the bolt such that the top clamps and the base clamps form a lip holding area wherein the bolt enters into the base clamp and is captured by a fitting provided in the base clamp, wherein the base clamp has a separate penetration from the base clamp hole, the separate penetration housing the fitting for the bolt and the positioning of the top clamp and the base clamp provides a lip holding area that is configured in an approximately circular geometry to secure the drum.

The defects of the Montross and Wheatley references are discussed above and are applicable to this rejection.

Montross does not disclose or suggest the feature of unamended claim 1 wherein the base clamp has a separate penetration from the base clamp hole, the separate penetration housing the fitting. Montross merely provides a straight hole for incorporation of the screw 15 into the remainder of the burial casket. A separate penetration does not exist in the Montross design for incorporation of a separate fitting.

As described above, Wheatley similarly does not provide a separate penetration for incorporation of the fitting. Wheatley is silent regarding this design. The combination of references, therefore, does not disclose or suggest the features of unamended claim 1.

Kunin relates to a cooking vessel. Title. Kunin provides a clamp that has a top screw part 19 with a corresponding bottom upset head 20 to lock on a lid for a cooking vessel. The Office Action merely uses the Kunin reference to allegedly teach more than three clamps being used. The Kunin reference does not disclose or suggest the feature of a separate penetration does not exist in the Montross design for incorporation of a separate fitting. As a result of the combination of references failing to disclose or suggest the features of claim 8, applicants respectfully submit that claim 8 is patentable over the cited references.

Applicants furthermore submit that a person of skill in the art would not combine the teachings of burial caskets with that of clamps for pick-up truck beds and pressure cookers to recite the features of a drum closure. The references themselves do not teach of such a combination.

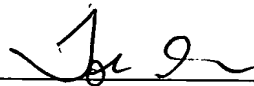
Claim 9 depends from claim 8 and therefore include all of the features of claim 8. Applicants respectfully request withdrawal of the rejection to claim 8 for at least the reasons provided above in relation to claim 1.

IV. Conclusion

It is respectfully submitted that all pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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